

## **2007 DRAFTING REQUEST**

### **Bill**

Received: **02/20/2007**

Received By: **btradewe**

Wanted: **As time permits**

Identical to LRB:

For: **Scott Gunderson (608) 266-3363**

By/Representing: **Mike Bruhn**

This file may be shown to any legislator: **NO**

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gunderson@legis.wisconsin.gov**

Carbon copy (CC:) to:

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### **Pre Topic:**

No specific pre topic given

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### **Topic:**

DNR not disclose email addresses of subscribers

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### **Instructions:**

See Attached

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### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	btradewe 03/05/2007	wjackson 03/05/2007					
/1			rschluet 03/05/2007		lparisi 03/05/2007	lparisi 03/06/2007	

FE Sent For:

<END>

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/?	btradewe	1 WJ 3/5		_____	_____	_____	_____
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FE Sent For:

<END>

## Tradewell, Becky

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**From:** Gibson-Glass, Mary  
**Sent:** Tuesday, February 20, 2007 4:06 PM  
**To:** Tradewell, Becky  
**Subject:** FW: drafting request

**Attachments:** Opt out- Chapter 23.doc

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**From:** Bruhn, Mike  
**Sent:** Tuesday, February 20, 2007 3:17 PM  
**To:** Gibson-Glass, Mary  
**Subject:** drafting request

Mary,

Representative Gunderson would like to get Legislation drafted that would allow individuals to opt their emails out of being disclosed by the DNR. We'd like the following modifications made to Chapter 23 to give the DNR the ability to protect their customer's e-mail addresses who subscribe to their update service. The memo attached gives the needed statutory changes. If you have any questions, please feel free to contact me at 266-3363.

Sincerely,

Mike Bruhn  
Rep. Gunderson's office



Opt out- Chapter  
23.doc (32 KB...

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1379/?dn

MGG:.....

I made the effective date January 1, 2010, instead of January 1, 2009, because Commerce will have to promulgate rules establishing the procedure for annual reports, and these annual reports, in turn are the basis for determining compliance. If this bill passes in the spring of 2008, there well may not be enough time for the rules to go through the rule-making process by the following January. If you want to expedite the process by treating the rules as emergency rules or if you want to waive the economic impact report required under s. 227.137 please let me know.

In preparing this preliminary draft, I just went ahead and used the term wholesaler, without defining it, in this draft. If you wish to define this term, please look at the definitions of "retailer", "supplier", and "wholesale distributor" in ch. 78, which deals with taxes on motor vehicle fuel. See s. 78.005 (13m), (14), and (18).

The amounts for the minimum and maximum forfeiture in this preliminary draft are totally arbitrary. Please let me know what amounts you would like. I created this separate forfeiture provision because I felt the chapter-wide forfeiture in s. 168.15 did not work due to the fact that the 10% requirement is based on yearly sales.

Mary Gibson-Glass  
Senior Legislative Attorney  
Phone: (608) 267-3215

In response to repeated requests from our hunting and fishing public, the DNR Bureau of Customer Service has developed a tool to allow our customers to sign up to receive automated e-mail from the Department. This automated e-mail distribution service (list-serve) delivers up-to-date information on hunting/fishing law changes, season dates, application deadline dates, outdoor calendars, etc., several times throughout the year.

Many of our customers have requested that we not disclose their e-mail addresses to the public due to the potential damage that can be inflicted on a customer's computer through delivery of unsolicited e-mail. In an attempt to accommodate our customer's requests, we would like to make our Hunting and Fishing Updates a publication. We will assign it a publication number and post it on the internet as well as provide a copy to the required libraries. We could then e-mail our subscribers a link to the most recent publication on the internet.

If the following modifications were made to Chapter 23, we would have the ability to protect all of our customer's e-mail addresses who subscribe to this service. Thank you for your consideration.

23.16 (3) is amended to read:

(3) SUBSCRIBER LISTS. The department may refuse to reveal names, ~~addresses, and e-mail addresses~~ of persons on any magazine or periodical subscriber list. The department may charge a fee to recover the actual costs for providing or for the use of any magazine or periodical subscriber list. No person who obtains or uses any magazine or periodical subscriber list from the department may refer to the department, the magazine or the periodical as the source of names, ~~addresses, or e-mail addresses~~ unless the person clearly states that the provision of, or permission to use, the subscriber list in no way indicates any of the following:

**Deleted:** and

**Deleted:** The department may not reveal names and addresses of persons as prohibited under s. 23.45(4).

**Deleted:** or

23.165(4) is amended to read:

(4) SUBSCRIBER LISTS. The department may refuse to reveal names, ~~addresses, and e-mail addresses~~ of persons on any publication subscriber list. ~~The department may charge a fee to recover the~~ actual costs for providing or for the use of a publication subscriber list. No person who obtains or uses any magazine or periodical subscriber list from the department may refer to the department, the magazine or the periodical as the source of names, ~~addresses, or e-mail addresses~~ unless the person clearly states that the provision of, or permission to use, the subscriber list in no way indicates any of the following:

**Deleted:** and

**Deleted:** The department may not reveal names and addresses of persons as prohibited under s. 23.45(5).

**Deleted:** or

## 2007 BILL

No changes

- 1 AN ACT *to amend* 23.16 (3) (intro.) and 23.165 (4) (intro.) of the statutes;  
2 relating to: refusal by the Department of Natural Resources to reveal  
3 electronic mail addresses of subscribers.

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### *Analysis by the Legislative Reference Bureau*

Current law authorizes the Department of Natural Resources (DNR) to produce periodicals and other publications. The law authorizes DNR to refuse to reveal names and addresses of persons who subscribe to its periodicals and other publications. This bill authorizes DNR to also refuse to reveal the electronic mail addresses of persons who subscribe to its periodicals and other publications.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

- 4 SECTION 1. 23.16 (3) (intro.) of the statutes is amended to read:  
5 23.16 (3) SUBSCRIBER LISTS. (intro.) The department may refuse to reveal  
6 names and, addresses, and electronic mail addresses of persons on any magazine or  
7 periodical subscriber list. The department may charge a fee to recover the actual  
8 costs for providing or for the use of any magazine or periodical subscriber list. The

**BILL**

1 ~~department may not reveal names and addresses of persons as prohibited under s.~~  
2 ~~23.45 (4).~~ No person who obtains or uses any magazine or periodical subscriber list  
3 from the department may refer to the department, the magazine, or the periodical  
4 as the source of names ~~or~~, addresses, or electronic mail addresses unless the person  
5 clearly states that the provision of, or permission to use, the subscriber list in no way  
6 indicates any of the following:

7 **SECTION 2.** 23.165 (4) (intro.) of the statutes is amended to read:

8 23.165 (4) SUBSCRIBER LISTS. (intro.) The department may refuse to reveal  
9 names ~~and~~, addresses, and electronic mail addresses of persons on any publication  
10 subscriber list. ~~The department may not reveal names and addresses as prohibited~~  
11 ~~under s. 23.45 (5).~~ The department may charge a fee to recover the actual costs for  
12 providing or for the use of a publication subscriber list. No person who obtains or uses  
13 a publication subscriber list from the department may refer to the department or the  
14 publication as the source of names ~~or~~, addresses, or electronic mail addresses unless  
15 the person clearly states that the provision of, or permission to use, the subscriber  
16 list in no way indicates any of the following:

17 (END)

**Barman, Mike**

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**From:** Bruhn, Mike  
**Sent:** Monday, March 05, 2007 4:25 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-2020/1 Topic: DNR not disclose email addresses of subscribers

Please Jacket LRB 07-2020/1 for the ASSEMBLY.